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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/551,952	10/06/2005	Wolfgang Andorfer	03PO5745	3477
24252	7590	11/26/2008		
OSRAM SYLVANIA INC 100 ENDICOTT STREET DANVERS, MA 01923			EXAMINER FAROKHROOZ, FATIMA N	
			ART UNIT 2889	PAPER NUMBER
			MAIL DATE 11/26/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/551,952

Applicant(s)

ANDORFER ET AL.

Examiner

FATIMA N. FAROKHROOZ

Art Unit

2889

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 August 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 5-7, 12 and 13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 5-7, 12 and 13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
- Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

The Amendment, filed on 8/15/08, has been entered and acknowledged by the Examiner. Cancellation of claims 1-4, 8-11 and 14 has been entered.

Claims 5-7, 12 and 13 are pending in the instant application.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 5 and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by DeCaro (US 3983513).

Regarding claim 5, DeCaro teaches a halogen incandescent lamp (see at least Fig.3) having a transparent lamp vessel (see “remains clear” in col.4, lines 15-19) which is sealed off at one end (base member 36; col.3, lines 59-65), and at least one incandescent filament (38; col.3, lines 59-69) arranged within the lamp vessel, wherein a section (section of layer 44; col.4, lines 10-24) of the lamp vessel is in the form of a reflector and is provided with a visible light-reflecting coating (44), and wherein the section of the lamp vessel which is in the form of a reflector is parabolic (col.4, lines 20-24), the rotational axis of the paraboloid being arranged on the longitudinal axis (the longitudinal axis is the axis on which the filament in Fig.3 is located, hence the

rotational axis of the parabola is arranged on this longitudinal axis) , and the vertex of the paraboloid facing the sealed-off end of the lamp vessel (since vertex is defined as the highest or lowest point in a parabola, see Fig.3 wherein the lowest point of the paraboloid faces the sealed off end wherein the connected is formed).

Regarding claim 12, DeCaro teaches a halogen incandescent lamp (see atleast Fig.3) having a transparent lamp vessel which is sealed off at one end (base member 36;col.3,lines 59-65), and at least one incandescent filament (38;col.3,lines 59-69) arranged within the lamp vessel , wherein a section of the lamp vessel is in the form of a reflector and is provided with a visible light-reflecting coating 44;and wherein the lamp vessel is axially symmetrical with respect to a longitudinal axis of the lamp vessel , and the at least one incandescent filament 38 is arranged on the longitudinal axis of the lamp vessel , the section of the lamp vessel which is in the form of a reflector being a ring-shaped section (section of layer 44;col.4,lines 10-24), which is connected to the sealed-off end of the lamp vessel and whose ring axis is arranged on the longitudinal axis; and wherein the section of the lamp vessel which is in the form of a reflector is parabolic (col.4,lines 20-24), the rotational axis of the paraboloid being arranged on the longitudinal axis (the longitudinal axis is the axis on which the filament in Fig.3 is located, hence the rotational axis of the parabola is arranged on this longitudinal axis), and the vertex of the paraboloid facing the sealed-off end of the lamp vessel (since vertex is defined as the highest or lowest point in a parabola, see Fig.3 wherein the

lowest point of the parabola faces the sealed off end wherein the connector is formed).

Claims 6, 7 and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by LaGuisa (US 4041344).

Regarding claim 6, LaGuisa teaches a halogen incandescent lamp (see atleast Fig.2) having a transparent lamp vessel which is sealed off at one end 23, and at least one incandescent filament (col.2,lines 64-67) arranged within the lamp vessel , wherein a section (portion 22) of the lamp vessel is in the form of a reflector (by coating 21;col.3; line 20) and is provided with a visible light-reflecting coating (21), and wherein the lamp vessel is, apart from its sealed-off end 23, in the form of an ellipsoid, whose semimajor axis is arranged on the longitudinal axis of the lamp vessel , and a region of the lamp vessel which essentially corresponds to a half-shell of the ellipsoid is provided with the light-reflecting coating (21 ;col.2,lines 54-69).

Regarding claim 7, LaGuisa teaches a halogen incandescent lamp (see atleast Fig.2), characterized in that the half-shell of the ellipsoid extends from the sealed-off end (23) of the lamp vessel to the opposite end of the lamp vessel (see Fig.2 and col.2, lines 54-69).

Regarding claim 13, LaGuisa teaches a halogen incandescent lamp (see atleast Fig.2);characterized in that the lamp vessel is, apart from its sealed-off end (23), in the form of an ellipsoid, whose semimajor axis is arranged on the longitudinal axis of the

lamp vessel , and a region of the lamp vessel which essentially corresponds to a half-shell of the ellipsoid is provided with the light-reflecting coating (see Fig.2 ,21 in col.2,lines 54-69 and col.3,line 20).

Response to Arguments

The arguments filed on 08/15/08 are acknowledged but are moot in view of new grounds of rejection.

Regarding the arguments with reference to the previous prior art reference Bunk, on pages 5-6 of the Remarks, the arguments are moot in view of the new grounds of rejection of amended claims 5-7 and 12-13 wherein the new prior art DeCaro (for claims 5 and 12) and LaGiusa (for claims 6, 7 and 13) teach all the claimed features of claims 5-7 and 12-13. See new grounds of rejection above with new prior arts DeCaro and LaGiusa Therefore the independent and dependant claims are not in condition for allowance.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fatima Farokhrooz whose telephone number is (571)-272-6043. The examiner can normally be reached on Monday- Friday, 9 am - 5 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Minh-Toan Ton can be reached on (571) 272-2303. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Fatima N Farokhrooz/
Examiner, Art Unit 2889

/Toan Ton/
Supervisory Patent Examiner, Art Unit 2889

